

AMENDED IN ASSEMBLY MARCH 24, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 376

Introduced by Assembly Member Chu

February 14, 2003

An act to amend Section 5771 of the Welfare and Institutions Code, relating to mental health.

LEGISLATIVE COUNSEL'S DIGEST

AB 376, as amended, Chu. California Mental Health Planning Council: composition.

The Bronzan-McCorquodale Act establishes provisions to organize and finance community mental health services for persons with mental disorders in every county through locally administered and locally controlled community mental health programs.

Federal law provides for block grants for community mental health services, and requires that states, in exchange for this federal financial assistance, develop and implement comprehensive mental health plans for adults with serious mental illnesses and children with serious emotional disturbances.

Under existing law the California Mental Health Planning Council is required to fulfill mental health planning requirements mandated by federal law.

This bill would require that the council include representatives who are *direct service providers from both the public and private sectors who are also* members of labor organizations ~~representing that represent~~ both public and private employees ~~who work in mental health settings~~.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 5771 of the Welfare and Institutions
2 Code is amended to read:
3 5771. (a) Pursuant to Public Law 102-321, there is the
4 California Mental Health Planning Council. The purpose of the
5 planning council shall be to fulfill those mental health planning
6 requirements mandated by federal law.
7 (b) (1) The planning council shall have 40 members, to be
8 comprised of members appointed from both the local and state
9 levels in order to ensure a balance of state and local concerns
10 relative to planning.
11 (2) As required by federal law, eight members of the planning
12 council shall represent various state departments.
13 (3) Members of the planning council shall be appointed in ~~such~~
14 ~~a manner as to~~ *a manner that will* ensure that at least one-half are
15 persons with mental disabilities, family members of persons with
16 mental disabilities, and representatives of organizations
17 advocating on behalf of persons with mental disabilities. Persons
18 with mental disabilities and family members shall be represented
19 in equal numbers.
20 (4) The Director of Mental Health shall make appointments
21 from *among* nominees from *various* mental health constituency
22 organizations. ~~These appointments shall include representatives~~
23 ~~of, which shall include representatives of~~ consumer-related
24 advocacy organizations, representatives of mental health
25 professional and provider organizations, representatives who are
26 *direct service providers from both the public and private sectors*
27 *and who are also* members of labor organizations ~~representing that~~
28 ~~represent both public and private employees who work in mental~~
29 ~~health settings, and employees. The director shall also appoint one~~
30 representative of the California Coalition on Mental Health.
31 (c) Members should be balanced according to demography,
32 geography, gender, and ethnicity. Members should include
33 representatives with interest in all target populations, including,
34 but not limited to, children and youth, adults, and older adults.

1 (d) The planning council shall annually elect a chairperson and
2 a vice chairperson.

3 (e) The term of each member shall be three years, to be
4 staggered so that approximately one-third of the appointments
5 expire in each year.

6 (f) In the event of changes in the federal requirements
7 regarding the structure and function of the planning council, or the
8 discontinuation of federal funding, the State Department of
9 Mental Health shall propose to the Legislature modifications in the
10 structure of the planning council that the department deems
11 appropriate.

